

**ASSEMBLY BILL**

**No. 861**

**Introduced by Assembly Member Leslie**

February 22, 2001

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An act to add Section 48665 to the Education Code, relating to community day schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 861, as introduced, Leslie. Community day schools: funding.

Existing law authorizes a county office of education to operate a community day school and sets forth apportionments based on units of average daily attendance. Existing law provides that the units of average daily attendance of a community day school operated by a county office of education shall not exceed the unused units of average daily attendance of the community day schools operated by the school districts within the jurisdiction of that county office of education. Existing law defines necessary small high schools and sets forth funding calculations therefor.

This bill would, notwithstanding existing law, authorize a county office of education that has jurisdiction over a county with fewer than 15,000 total units of average daily attendance to apply to the Superintendent of Public Instruction to establish a community day school without regard to those unused units of average daily attendance. The bill would provide that such a school would be funded as a necessary small high school and would limit the number of such schools that may be authorized by the superintendent annually to no more than 8 statewide and one per county.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1.   Section 48665 is added to the Education Code,  
2 to read:  
3     48665. (a) Notwithstanding paragraph (1) of subdivision (a)  
4 of Section 48664, or any other provision of law, a county office of  
5 education that has jurisdiction over a county with fewer than  
6 15,000 total units of average daily attendance may apply to the  
7 Superintendent of Public Instruction, on forms and in a manner  
8 specified by the superintendent, to establish a community day  
9 school without regard to the unused units of average daily  
10 attendance in community day schools operated by school districts  
11 in the jurisdiction of the county office of education.  
12     (b) The Superintendent of Public Instruction may authorize the  
13 establishment of no more than eight community day schools  
14 annually statewide and one community day school per county,  
15 pursuant to this section. In authorizing county offices of education  
16 to establish community day schools pursuant to this section, the  
17 Superintendent of Public Instruction shall give preference to  
18 counties within the jurisdiction of which no school district  
19 operates a community day school.  
20     (c) A county office of education that establishes a community  
21 day school pursuant to this section may receive funding as a  
22 necessary small high school in accordance with the schedule set  
23 forth in Section 42284, adjusted for inflation pursuant to Section  
24 42238.1 and adjusted in accordance with subdivision (d) of  
25 Section 42284.

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